

**City of Rochester**

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June 13, 2025

Hon. Mark W. Pedersen  
U.S. Magistrate Judge  
Western District of New York  
100 State Street  
Rochester, NY 14614

**Re: The United States of America v The City of Rochester, et al**  
**Case No.: 25-cv-6226**

Dear Magistrate Pedersen:

Upon consent of all parties to the above-referenced action, I write to request that the Court hold the Rule 16 conference and order in abeyance and stay discovery pending resolution of the recently filed dispositive motions.

Pursuant to Rule 16(b)(2), courts may delay the scheduling conference and order for “good cause.” Good cause for delay has been found where, as here, there are pending dispositive motions which might completely dispose of the case or else narrow the issues in dispute. *See Israel v O’Malley*, 24-CV-86-LJV, 2024 WL 5040722, at \*1 (WDNY Dec. 9, 2024), *appeal dismissed*, 24-3284, 2025 WL 882886 (2d Cir. Mar. 12, 2025). In such circumstances, it has not been necessary to issue a scheduling order prior to a ruling on the dispositive motion.

Here, the parties have conferred regarding the timing of a Rule 16 conference in this matter and agree that a delay of the scheduling conference and order, and a stay of discovery pending the resolution of the dispositive motions is warranted. And, while the determination whether to stay discovery pending the outcome of dispositive motions requires a case-by-case analysis, the parties believe that this matter warrants such a stay. *See generally TentandTable.com, LLC v Aljibouri*, 22-CV-78-LJV-MJR, 2022 WL 2009528, at \*1-2 (WDNY June 6, 2022) (granting a disputed motion to stay discovery).



For the foregoing reasons, and upon mutual consent, the parties respectfully request that the court (1) delay the Rule 16 scheduling conference and order and (2) stay discovery in this matter.

Respectfully submitted,

/s/

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